

**IN THE UNITED STATES DISTRICT COURT  
FOR WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION**

**DR. ROBERT W. MALONE**

**Plaintiff**

**v.**

**Case Number: 3:22-cv-63**

**PETER R. BREGGIN, MD.  
GINGER ROSS BREGGIN,  
AMERICA OUT LOUD,  
DR. JANE RUBY**

**And**

**RED VOICE MEDIA**

**Defendants.**

**MOTION TO DISMISS AMENDED COMPLAINT FOR FAILURE TO STATE A  
CLAIM**

Pursuant to Federal Rule of Civil Procedure 12(b)(6), Defendants Peter R. Breggin, MD. And Ginger Ross Breggin (collectively, the “Breggin Defendants”), by counsel, move this Court to dismiss with prejudice the Amended Complaint filed by Dr. Robert W. Malone, (the “Plaintiff”) because the Plaintiff has failed to state a claim upon which relief can be granted. The grounds and reasons for granting this relief are stated in the accompanying Memorandum which is filed contemporaneously herewith and incorporated herein.

Respectfully Submitted,

PETER R. BREGGIN, MD.  
GINGER ROSS BREGGIN  
By Counsel



By: /s/ William M. Stanley  
William M. Stanley, Esq. - VSB# 37209  
THE STANLEY LAW GROUP, PLLC  
13508 Booker T. Washington Hwy.  
Moneta, Va. 24121  
p. 540-721-6028  
f. 540-721-6405  
bstanley@vastanleylawgroup.com

### **CERTIFICATE**

I hereby certify that on the 13<sup>th</sup> day of July, 2023, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Steven S. Biss (VSB # 32972)  
300 West Main Street, Suite 102  
Charlottesville, Virginia 22903  
Telephone: (804) 501-8272 Facsimile: (202) 318-4098  
Email: stevenbiss@earthlink.net  
Counsel for the Plaintiff

By: /s/ William M. Stanley

